

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

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JENNIFER HSU,

Plaintiff,

Case No. AU:17-CV-00128-RP

v.

ENHANCED RECOVERY  
COMPANY, LLC, and  
PHILADELPHIA INDEMNITY  
INSURANCE COMPANY,

Defendants.

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**UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO  
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

Defendant, Enhanced Recovery Company, LLC ("ERC"), by and through its undersigned counsel and pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Rule CV-7, hereby moves to extend the time to file its response to Plaintiff Jennifer Hsu's Motion for Partial Summary Judgment for a period of fourteen (14) days, through and including June 5, 2017, and states the following in support:

1. On May 8, 2017, Plaintiff filed her Motion for Partial Summary Judgment in the above-captioned action.
2. Pursuant to Local Rule CV-7(e) ERC's deadline to respond to Plaintiff's Motion for Partial Summary Judgment is May 22, 2017.
3. Counsel for ERC had a previously scheduled vacation and has been out of the office since the filing of the motion through the deadline imposed by the Local Rules.

4. ERC is currently in the process of evaluating Plaintiff's Motion for Partial Summary Judgment and preparing its response.

5. In accordance with Local Rule CV-7(i), counsel for ERC informed counsel for Plaintiff that it intended to move to extend the time to respond for a period of twenty-one (21) days. Counsel for Plaintiff has no objection to the requested extension.

6. This motion is made in good faith, does not otherwise affect the scheduling order, and the parties to this action will not be prejudiced by the requested extension of time. The requested extension of time is sought so that ERC may prepare a thorough and complete response to Plaintiff's Motion for Partial Summary Judgment, and not for purposes of obstruction or delay. This is the first extension that ERC has sought regarding this deadline.

WHEREFORE, Defendant, Enhanced Recovery Company, LLC, respectfully requests that the Court enter an Order granting this Motion and extending the time for Defendant to respond to Plaintiff's Motion for Partial Summary Judgment for a period of fourteen (14) days, through and including Monday, June 5, 2017.

Respectfully submitted this 19th day of May, 2017.

Respectfully Submitted,

**SMITH, GAMBRELL & RUSSELL, LLP**

By: /s/ Yash B. Dave

Yash B. Dave

Texas Bar No. 24100418

50 North Laura Street, Suite 2600

Jacksonville, FL 32202

Telephone: (904) 598-6127

Facsimile: (904) 598-6227

E-Mail: [ydave@sgrlaw.com](mailto:ydave@sgrlaw.com)

*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

I certify that on May 19, 2017, I filed the foregoing with the Clerk of Court using the CM/ECF system, which will serve a true and correct copy of the foregoing to:

Tyler Hickle  
State Bar No. 24069916  
4005C Banister Lane  
Ste. 120C  
Austin, TX 78704  
[tylerhickle@hicklelegal.com](mailto:tylerhickle@hicklelegal.com)  
Tel: (512) 289-3831  
Fax: (512) 870-9505

***Attorney for Plaintiff***

/s/ Yash B. Dave

Attorney